

Conference Engrossed

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JANICE K. BREWER
SECRETARY OF STATE

CHAPTER 390

SENATE BILL 1379

AN ACT

AMENDING SECTIONS 36-1901, 36-1902, 36-1907 AND 36-1940.01, ARIZONA REVISED STATUTES; AMENDING TITLE 36, CHAPTER 17, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-1940.04; RELATING TO AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 36-1901, Arizona Revised Statutes, is amended to read:

36-1901. Definitions

In this chapter, unless the context otherwise requires:

1. "APPROVED TRAINING PROGRAM" MEANS A POST SECONDARY SPEECH-LANGUAGE PATHOLOGY ASSISTANT TRAINING PROGRAM THAT IS APPROVED BY THE DIRECTOR.

~~1.~~ 2. "Assistive listening device or system" means an amplification system that is specifically designed to improve the signal-to-noise ratio for the listener who is hearing impaired, reduce interference from noise in the background and enhance hearing levels at a distance by picking up sound from as close to the source as possible and sending it directly to the ear of the listener, excluding hearing aids ~~as defined in this chapter~~.

~~2.~~ 3. "Audiology" means the nonmedical and nonsurgical application of principles, methods and procedures of measurement, testing, evaluation and prediction that are related to hearing, its disorders and related communication impairments for the purpose of nonmedical diagnosis, prevention, amelioration or modification of these disorders and conditions.

4. "CLINICAL INTERACTION" MEANS A FIELDWORK PRACTICUM IN SPEECH-LANGUAGE PATHOLOGY THAT IS SUPERVISED BY A LICENSED SPEECH-LANGUAGE PATHOLOGIST.

~~3.~~ 5. "Department" means the department of health services.

6. "DIRECT SUPERVISION" MEANS THE ON-SITE, IN-VIEW OBSERVATION AND GUIDANCE OF A SPEECH-LANGUAGE PATHOLOGY ASSISTANT BY A LICENSED SPEECH-LANGUAGE PATHOLOGIST WHILE THE SPEECH-LANGUAGE PATHOLOGY ASSISTANT PERFORMS AN ASSIGNED CLINICAL ACTIVITY.

~~4.~~ 7. "Director" means the director of the department.

~~5.~~ 8. "Disorders of communication" means an organic or nonorganic condition that impedes the normal process of human communication and includes disorders of speech, articulation, fluency, voice, verbal and written language, auditory comprehension, cognition and communications and oral, pharyngeal and laryngeal sensorimotor competencies.

~~6.~~ 9. "Disorders of hearing" means an organic or nonorganic condition, whether peripheral or central, that impedes the normal process of human communication and includes disorders of auditory sensitivity, acuity, function or processing.

~~7.~~ 10. "Hearing aid" means any wearable instrument or device designed for or represented as aiding or improving human hearing or as aiding, improving or compensating for defective human hearing, and any parts, attachments or accessories of such THE instrument or device, including ear molds, but excluding batteries and cords.

~~8.~~ 11. "Hearing aid dispenser" means any person who engages in the practice of fitting and dispensing hearing aids.

12. "INDIRECT SUPERVISION" MEANS SUPERVISORY ACTIVITIES, OTHER THAN DIRECT SUPERVISION THAT ARE PERFORMED BY A LICENSED SPEECH-LANGUAGE

1 PATHOLOGIST AND THAT MAY INCLUDE CONSULTATION, RECORD REVIEW AND REVIEW AND
2 EVALUATION OF AUDIOTAPED OR VIDEOTAPED SESSIONS.

3 ~~9-~~ 13. "Letter of concern" means an advisory letter to notify a
4 licensee that, while there is insufficient evidence to support disciplinary
5 action, the director believes the licensee should modify or eliminate certain
6 practices and that continuation of the activities that led to the information
7 being submitted to the director may result in action against the licensee.

8 ~~10-~~ 14. "License" means a license issued by the director under this
9 chapter and includes a temporary license.

10 ~~11-~~ 15. "Nonmedical diagnosing" means the art or act of identifying a
11 communication disorder from its signs and symptoms. Nonmedical diagnosing
12 does not include diagnosing a medical disease.

13 ~~12-~~ 16. "Practice of audiology" means:

14 (a) Rendering or offering to render to a person or persons who have or
15 who are suspected of having disorders of hearing any service in audiology
16 including prevention, identification, evaluation, consultation, habilitation,
17 rehabilitation, instruction and research.

18 (b) Participating in hearing conservation, hearing aid and assistive
19 listening device evaluation and hearing aid prescription preparation,
20 fitting, dispensing and orientation.

21 (c) Screening, identifying, assessing, nonmedical diagnosing,
22 preventing and rehabilitating peripheral and central auditory system
23 dysfunctions.

24 (d) Providing and interpreting behavioral and physiological
25 measurements of auditory and vestibular functions.

26 (e) Selecting, fitting and dispensing assistive listening and alerting
27 devices and other systems and providing training in their use.

28 (f) Providing aural rehabilitation and related counseling services to
29 hearing impaired persons and their families.

30 (g) Screening speech-language and other factors that affect
31 communication function in order to conduct an audiologic evaluation and an
32 initial identification of persons with other communications disorders and
33 making the appropriate referral.

34 (h) Planning, directing, conducting or supervising services.

35 ~~13-~~ 17. "Practice of fitting and dispensing hearing aids" means the
36 measurement of human hearing by means of an audiometer or by any other means,
37 solely for the purpose of making selections or adaptations of hearing aids,
38 and the fitting, sale and servicing of hearing aids, including assistive
39 listening devices and the making of impressions for ear molds and includes
40 identification, instruction, consultation, rehabilitation and hearing
41 conservation as these relate only to hearing aids and related devices and,
42 when at the request of a physician or another licensed health care
43 professional, the making of audiograms for the professional's use in
44 consultation with the hearing impaired. The practice of fitting and

1 dispensing hearing aids does not include formal auditory training programs,
2 lip reading and speech conservation.

3 ~~14-~~ 18. "Practice of speech-language pathology" means:

4 (a) Rendering or offering to render to an individual or groups of
5 individuals who have or are suspected of having disorders of communication
6 service in speech-language pathology including prevention, identification,
7 evaluation, consultation, habilitation, rehabilitation, instruction and
8 research.

9 (b) Screening, identifying, assessing, interpreting, nonmedical
10 diagnosing and rehabilitating disorders of speech and language.

11 (c) Screening, identifying, assessing, interpreting, nonmedical
12 diagnosing and rehabilitating disorders of oral-pharyngeal functions and
13 related disorders.

14 (d) Screening, identifying, assessing, interpreting, nonmedical
15 diagnosing and rehabilitating cognitive and communication disorders.

16 (e) Assessing, selecting and developing augmentative and alternative
17 communication systems and providing training in the use of these systems and
18 assistive listening devices.

19 (f) Providing aural rehabilitation and related counseling services to
20 hearing impaired persons and their families.

21 (g) Enhancing speech-language proficiency and communication
22 effectiveness.

23 (h) Screening hearing and other factors for speech-language evaluation
24 and initially identifying persons with other communication disorders and
25 making the appropriate referral.

26 ~~15-~~ 19. "Regular license" means each type of license issued by the
27 director, except a temporary license.

28 ~~16-~~ 20. "Sell" or "sale" means a transfer of title or of the right to
29 use by lease, bailment or any other contract, but does not include transfers
30 at wholesale to distributors or dealers.

31 ~~17-~~ 21. "Speech-language pathology" means the nonmedical and
32 nonsurgical application of principles, methods and procedures of assessment,
33 testing, evaluation and prediction related to speech and language and its
34 disorders and related communication impairments for the nonmedical diagnosis,
35 prevention, amelioration or modification of these disorders and conditions.

36 22. "SPEECH-LANGUAGE PATHOLOGY ASSISTANT" MEANS A PERSON WHO PROVIDES
37 SERVICES PRESCRIBED IN SECTION 36-1940.04 AND UNDER THE DIRECTION AND
38 SUPERVISION OF A SPEECH-LANGUAGE PATHOLOGIST LICENSED PURSUANT TO THIS
39 CHAPTER.

40 ~~18-~~ 23. "Sponsor" means a person who is licensed pursuant to this
41 chapter and who agrees to train or directly supervise a temporary licensee in
42 the same field of practice.

43 ~~19-~~ 24. "Temporary licensee" means a person who is licensed under this
44 chapter for a specified period of time under the sponsorship of a person
45 licensed pursuant to this chapter.

1 20- 25. "Unprofessional conduct" means:

2 (a) Obtaining any fee or making any sale by fraud or
3 misrepresentation.

4 (b) Employing directly or indirectly any suspended or unlicensed
5 person to perform any work covered by this chapter.

6 (c) Using, or causing or promoting the use of, any advertising matter,
7 promotional literature, testimonial, guarantee, warranty, label, brand,
8 insignia or other representation, however disseminated or published, ~~which~~
9 THAT is misleading, deceiving, improbable or untruthful.

10 (d) Advertising for sale a particular model, type or kind of product
11 when purchasers or prospective purchasers responding to the advertisement
12 cannot purchase or are dissuaded from purchasing the advertised model, type
13 or kind ~~where~~ IF the purpose of the advertisement is to obtain prospects for
14 the sale of a different model, type or kind than that advertised.

15 (e) Representing that the professional services or advice of a
16 physician will be used or made available in the selling, fitting, adjustment,
17 maintenance or repair of hearing aids ~~when such~~ IF THIS is not true, or using
18 the words "doctor", "clinic", "clinical" or like words, abbreviations or
19 symbols ~~which~~ THAT tend to connote the medical profession services ~~when such~~
20 IF THIS is not accurate.

21 (f) Defaming competitors by falsely imputing to them dishonorable
22 conduct, inability to perform contracts or questionable credit standing or by
23 other false representations, or falsely disparaging the products of
24 competitors in any respect, or their business methods, selling prices,
25 values, credit terms, policies or services.

26 (g) Displaying competitive products in ~~his~~ THE LICENSEE'S show window,
27 shop or advertising in such manner as to falsely disparage such products.

28 (h) Representing falsely that competitors are unreliable.

29 (i) Quoting prices of competitive products without disclosing that
30 they are not the current prices, or showing, demonstrating or representing
31 competitive models as being current models when they are not current models.

32 (j) Imitating or simulating the trademarks, trade names, brands or
33 labels of competitors with the capacity, tendency or effect of misleading or
34 deceiving purchasers or prospective purchasers.

35 (k) Using in ~~his~~ THE LICENSEE'S advertising the name, model name or
36 trademark of a particular manufacturer of hearing aids in such a manner as to
37 imply a relationship with the manufacturer that does not exist, or otherwise
38 to mislead or deceive purchasers or prospective purchasers.

39 (l) Using any trade name, corporate name, trademark or other trade
40 designation, ~~which~~ THAT has the capacity, tendency or effect of misleading or
41 deceiving purchasers or prospective purchasers as to the name, nature or
42 origin of any product of the industry, or of any material used ~~therein~~ IN THE
43 PRODUCT, or ~~which~~ THAT is false, deceptive or misleading in any other
44 material respect.

1 (m) Obtaining information concerning the business of a competitor by
2 bribery of an employee or agent of ~~such~~ THAT competitor, by false or
3 misleading statements or representations, by the impersonation of one in
4 authority, or by any other unfair means.

5 (n) Giving directly or indirectly, offering to give, or permitting or
6 causing to be given money or anything of value, except miscellaneous
7 advertising items of nominal value, to any person who advises another in a
8 professional capacity as an inducement to influence ~~him~~ THAT PERSON or have
9 ~~him~~ THAT PERSON influence others to purchase or contract to purchase products
10 sold or offered for sale by a hearing aid dispenser, or to influence persons
11 to refrain from dealing in the products of competitors.

12 (o) Sharing any profits or sharing any percentage of a licensee's
13 income with any person who advises another in a professional capacity as an
14 inducement to influence ~~him~~ THAT PERSON or have ~~him~~ THAT PERSON influence
15 others to purchase or contract to purchase products sold or offered for sale
16 by a hearing aid dispenser, or to dissuade persons from dealing in products
17 of competitors.

18 (p) Failing to comply with existing federal regulations regarding the
19 fitting and dispensing of a hearing aid.

20 (q) Conviction of a felony or a misdemeanor that involves moral
21 turpitude.

22 (r) Fraudulently obtaining or attempting to obtain a license or a
23 temporary license for the applicant, the licensee or another person.

24 (s) Aiding or abetting unlicensed practice.

25 (t) Wilfully making or filing a false audiology, speech-language
26 pathology or hearing aid dispenser evaluation.

27 (u) The use of narcotics, alcohol or drugs to the extent that the
28 performance of professional duties is impaired.

29 (v) Betraying a professional confidence.

30 (w) Any conduct, practice or condition that impairs the ability of the
31 licensee to safely and competently engage in the practice of audiology,
32 speech-language pathology or hearing aid dispensing.

33 (x) Providing services or promoting the sale of devices, appliances or
34 products to a person who cannot reasonably be expected to benefit from these
35 services, devices, appliances or products.

36 (y) Being a licensee who is disciplined by a licensing or disciplinary
37 authority of any state, territory or district of this country for an act that
38 is grounds for disciplinary action under this chapter.

39 (z) Violating any provision of this chapter or failing to comply with
40 rules adopted pursuant to this chapter.

41 (aa) Failing to refer an individual for medical evaluation if a
42 condition exists that is amenable to surgical or medical treatments
43 prescribed by the advisory committee and consistent with federal regulations.

44 (bb) Practicing in a field or area within that licensee's defined
45 scope of practice in which the licensee has not either been tested, taken a

1 course leading to a degree, received supervised training, taken a continuing
2 education course or had adequate prior experience.

3 Sec. 2. Section 36-1902, Arizona Revised Statutes, is amended to read:

4 36-1902. Powers and duties of the director; advisory committee;

5 examining committee

6 A. The director shall:

7 1. Appoint an advisory committee to assist the director and perform
8 duties as the director may delegate.

9 2. Supervise and administer qualifying examinations to test the
10 knowledge and proficiency of applicants for a hearing aid dispenser's
11 license.

12 3. Designate the time and place for holding examinations for a hearing
13 aid dispenser's license.

14 4. License persons who apply for and pass the examination for a
15 license, and possess all other qualifications required for the practice of
16 fitting and dispensing hearing aids, the practice of audiology and the
17 practice of speech-language pathology.

18 5. LICENSE PERSONS WHO APPLY FOR A LICENSE AND POSSESS ALL OTHER
19 QUALIFICATIONS REQUIRED FOR LICENSURE AS A SPEECH-LANGUAGE PATHOLOGY
20 ASSISTANT.

21 ~~5.~~ 6. Authorize all disbursements necessary to carry out the
22 provisions of this chapter.

23 ~~6.~~ 7. Ensure the public's health and safety by adopting and enforcing
24 qualification standards for licensees and applicants for licensure under this
25 chapter.

26 B. The director may:

27 1. Purchase and maintain, or rent, equipment and facilities necessary
28 to carry out the examination of applicants for a license.

29 2. Issue and renew a license.

30 3. Deny, suspend, revoke or refuse renewal of a license or file a
31 letter of concern, issue a decree of censure, prescribe probation, impose a
32 civil penalty or restrict or limit the practice of a licensee pursuant to
33 this chapter.

34 4. Appoint an examining committee to assist in the conduct of the
35 examination of applicants for a hearing aid dispenser's license.

36 5. Make and publish rules that are not inconsistent with the laws of
37 this state and ~~which~~ THAT are necessary to carry out ~~the provisions of this~~
38 chapter.

39 6. Require the periodic inspection of testing equipment and facilities
40 of persons engaging in the practice of fitting and dispensing hearing aids,
41 audiology and speech-language pathology.

42 7. Require a licensee to produce customer records of patients involved
43 in complaints on file with the department of ~~health services~~.

44 C. The advisory committee appointed pursuant to subsection A,
45 paragraph 1 shall consist of the director, two physicians licensed under

1 title 32, chapter 13 or 17, one of whom is a specialist in otolaryngology,
2 two licensed audiologists, one of whom dispenses hearing aids, two licensed
3 speech-language pathologists, two public members, one of whom is hearing
4 impaired, and two licensed hearing aid dispensers who are not licensed to
5 practice audiology. Committee members who are licensed under this chapter
6 shall have at least five years' experience immediately preceding the
7 appointment in their field of practice in this state.

8 D. The examining committee authorized pursuant to subsection B,
9 paragraph 4 shall consist of one otolaryngologist, two licensed dispensing
10 audiologists and two licensed hearing aid dispensers. Committee members who
11 are licensed under this chapter shall have at least five years' experience
12 immediately preceding the appointment in their field of practice in this
13 state. The findings of the examining committee shall be advisory to the
14 director.

15 E. The director shall verify that the audiology licensee has passed
16 the examination approved by the director.

17 F. The director shall verify that the speech-language pathology
18 licensee has passed the examination approved by the director.

19 G. The director may recognize a nationally recognized speech-language
20 hearing association examination as an approved examination.

21 H. The advisory committee shall provide recommendations to the
22 director in the following areas, on which the director shall act within a
23 reasonable period of time:

- 24 1. Issuance and renewal of a license.
- 25 2. Prescribing disciplinary procedures.
- 26 3. Appointment of an examining committee to assist in the conduct of
27 the examination of applicants for a hearing aid dispenser's license.
- 28 4. Adopting rules that are not inconsistent with the laws of this
29 state and that are necessary to carry out this chapter.
- 30 5. Requiring the periodic inspection of testing equipment and
31 facilities of persons engaging in the practice of fitting and dispensing
32 hearing aids, audiology and speech-language pathology.
- 33 6. Requiring a licensee to produce customer records of patients
34 involved in complaints on file with the department of health services.

35 Sec. 3. Section 36-1907, Arizona Revised Statutes, is amended to read:
36 36-1907. Practicing without a license; prohibition

37 A. A person shall not engage in the practice of fitting and dispensing
38 hearing aids, audiology or speech-language pathology or display a sign or in
39 any other way advertise or claim to be a hearing aid dispenser, an
40 audiologist or a speech-language pathologist unless the person holds
41 ~~a current, unsuspended, unrevoked~~ AN ACTIVE license IN GOOD STANDING issued
42 by the director as provided in this chapter.

43 B. A PERSON SHALL NOT ENGAGE IN PERFORMING THE DUTIES OF A
44 SPEECH-LANGUAGE PATHOLOGY ASSISTANT OR CLAIM TO BE A SPEECH-LANGUAGE

1 PATHOLOGY ASSISTANT UNLESS THE PERSON HOLDS AN ACTIVE LICENSE IN GOOD
2 STANDING ISSUED BY THE DIRECTOR AS PROVIDED BY THIS CHAPTER.

3 ~~B-~~ C. A licensee shall conspicuously post a license issued pursuant
4 to this chapter in the licensee's office or place of business.

5 Sec. 4. Section 36-1940.01, Arizona Revised Statutes, is amended to
6 read:

7 36-1940.01. Speech-language pathologist; licensure requirements

8 A. A person who wishes to be licensed as a speech-language pathologist
9 shall:

10 1. Submit a nonrefundable application fee as prescribed by section
11 36-1908.

12 2. Submit evidence satisfactory to the director that the applicant
13 has:

14 (a) A master's degree in speech-language pathology or the equivalent
15 from a nationally or regionally accredited college or university in a program
16 consistent with the standards of this state's universities.

17 (b) Completed a supervised clinical practicum in speech-language
18 pathology from a nationally or regionally accredited college or university in
19 a program consistent with the standards of this state's universities.

20 (c) Completed postgraduate professional experience in the field of
21 speech-language pathology approved by the director.

22 3. Pass an examination pursuant to section 36-1902, subsection G.

23 4. Be of good moral character.

24 5. Not have had a license revoked or suspended by a state within the
25 past two years and not be presently ineligible for licensure in any state
26 because of a prior revocation or suspension.

27 B. A person who wishes to be licensed as a speech-language pathologist
28 whose practice is limited to providing services to pupils under the authority
29 of a local education agency or state supported institution shall:

30 1. Submit a nonrefundable application fee as provided by section
31 36-1908.

32 2. Submit proof of an employee or contractor relationship with a local
33 education agency or a state supported institution.

34 3. Hold a ~~temporary or standard~~ certificate in speech and language
35 therapy awarded by the state board of education.

36 C. The director shall adopt rules prescribing criteria for approved
37 postgraduate professional experience.

38 Sec. 5. Title 36, chapter 17, article 4, Arizona Revised Statutes, is
39 amended by adding section 36-1940.04, to read:

40 36-1940.04. Speech-language pathologist assistant; licensure
41 requirements; scope of practice; supervision

42 A. A PERSON WHO WISHES TO BE LICENSED AS A SPEECH-LANGUAGE PATHOLOGIST
43 ASSISTANT SHALL:

44 1. SUBMIT A NONREFUNDABLE APPLICATION FEE AS PRESCRIBED BY SECTION
45 36-1908.

1 2. SUBMIT WRITTEN EVIDENCE SATISFACTORY TO THE DIRECTOR THAT THE
2 APPLICANT HAS COMPLETED:

3 (a) AN APPROVED TRAINING PROGRAM FOR SPEECH-LANGUAGE PATHOLOGY
4 ASSISTANTS OR THE EQUIVALENT FROM A NATIONALLY OR REGIONALLY ACCREDITED
5 COLLEGE OR UNIVERSITY THAT CONSISTED OF A MINIMUM OF SIXTY SEMESTER CREDIT
6 HOURS OF COURSE WORK WITH THE FOLLOWING CURRICULUM CONTENT:

7 (i) TWENTY TO FORTY SEMESTER CREDIT HOURS OF GENERAL EDUCATION.

8 (ii) TWENTY TO FORTY SEMESTER CREDIT HOURS OF SPEECH-LANGUAGE
9 PATHOLOGY TECHNICAL COURSE WORK.

10 (b) A MINIMUM OF ONE HUNDRED HOURS OF CLINICAL INTERACTION THAT DOES
11 NOT INCLUDE OBSERVATION, UNDER THE SUPERVISION OF A LICENSED MASTERS LEVEL
12 SPEECH-LANGUAGE PATHOLOGIST.

13 3. BE OF GOOD MORAL CHARACTER.

14 4. NOT HAVE HAD A LICENSE REVOKED OR SUSPENDED BY A STATE WITHIN THE
15 PAST TWO YEARS AND IS NOT PRESENTLY INELIGIBLE FOR Licensure IN ANY STATE
16 BECAUSE OF A PRIOR REVOCATION OR SUSPENSION.

17 B. THE DIRECTOR SHALL GRANT A WAIVER OF THE REQUIREMENTS FOR Licensure
18 AS PROVIDED BY SUBSECTION A OF THIS SECTION UNTIL SEPTEMBER 1, 2007 TO
19 INDIVIDUALS WHO HAVE PERFORMED THE FUNCTIONS OF A SPEECH-LANGUAGE PATHOLOGY
20 ASSISTANT IF THE INDIVIDUAL:

21 1. HAS COMPLETED A MINIMUM OF FORTY SEMESTER CREDIT HOURS OF
22 SPEECH-LANGUAGE PATHOLOGY TECHNICAL COURSE WORK.

23 2. HAS SATISFACTORILY COMPLETED A MINIMUM OF TWO YEARS OF EXPERIENCE
24 AS A SPEECH-LANGUAGE PATHOLOGY ASSISTANT UNDER THE SUPERVISION OF A LICENSED
25 MASTER'S LEVEL SPEECH-LANGUAGE PATHOLOGIST.

26 3. IS OF GOOD MORAL CHARACTER.

27 4. HAS NOT HAD A LICENSE REVOKED OR SUSPENDED BY A STATE WITHIN THE
28 PAST TWO YEARS AND IS NOT PRESENTLY INELIGIBLE FOR Licensure IN ANY STATE
29 BECAUSE OF A PRIOR REVOCATION OR SUSPENSION.

30 C. A SPEECH-LANGUAGE PATHOLOGY ASSISTANT MAY DO THE FOLLOWING UNDER
31 THE SUPERVISION OF THE LICENSED SPEECH-LANGUAGE PATHOLOGIST:

32 1. CONDUCT SPEECH AND LANGUAGE SCREENINGS WITHOUT INTERPRETATION,
33 USING SCREENING PROTOCOLS SPECIFIED BY THE SUPERVISING SPEECH-LANGUAGE
34 PATHOLOGIST.

35 2. PROVIDE DIRECT TREATMENT ASSISTANCE, INCLUDING FEEDING FOR
36 NUTRITIONAL PURPOSES TO PATIENTS, CLIENTS OR STUDENTS EXCEPT FOR PATIENTS,
37 CLIENTS OR STUDENTS WITH DYSPHAGIA, IDENTIFIED BY THE SUPERVISING
38 SPEECH-LANGUAGE PATHOLOGIST BY FOLLOWING WRITTEN TREATMENT PLANS,
39 INDIVIDUALIZED EDUCATION PROGRAMS, INDIVIDUAL SUPPORT PLANS OR PROTOCOLS
40 DEVELOPED BY THE SUPERVISING SPEECH-LANGUAGE PATHOLOGIST.

41 3. DOCUMENT PATIENT, CLIENT OR STUDENT PROGRESS TOWARD MEETING
42 ESTABLISHED OBJECTIVES AS STATED IN THE TREATMENT PLAN, INDIVIDUAL SUPPORT
43 PLAN OR INDIVIDUALIZED EDUCATION PROGRAM WITHOUT INTERPRETATION OF THE
44 FINDINGS, AND REPORT THIS INFORMATION TO THE SUPERVISING SPEECH-LANGUAGE
45 PATHOLOGIST.

- 1 4. ASSIST THE SPEECH-LANGUAGE PATHOLOGIST IN THE COLLECTING AND
- 2 TALLYING OF DATA FOR ASSESSMENT PURPOSES, WITHOUT INTERPRETATION OF THE DATA.
- 3 5. ACT AS A SECOND-LANGUAGE INTERPRETER DURING ASSESSMENTS.
- 4 6. ASSIST WITH INFORMAL DOCUMENTATION DURING AN INTERVENTION SESSION
- 5 BY COLLECTING AND TALLYING DATA AS DIRECTED BY THE SPEECH-LANGUAGE
- 6 PATHOLOGIST, PREPARING MATERIALS AND ASSISTING WITH OTHER CLERICAL DUTIES AS
- 7 SPECIFIED BY THE SUPERVISING SPEECH-LANGUAGE PATHOLOGIST.
- 8 7. SCHEDULE ACTIVITIES AND PREPARE CHARTS, RECORDS, GRAPHS OR OTHER
- 9 DISPLAYS OF DATA.
- 10 8. PERFORM CHECKS AND MAINTENANCE OF EQUIPMENT.
- 11 9. PARTICIPATE WITH THE SPEECH-LANGUAGE PATHOLOGIST IN RESEARCH
- 12 PROJECTS, IN-SERVICE TRAINING AND PUBLIC RELATIONS PROGRAMS.
- 13 10. SIGN AND INITIAL TREATMENT NOTES FOR REVIEW AND CO-SIGNATURE BY THE
- 14 SUPERVISING SPEECH-LANGUAGE PATHOLOGIST.
- 15 D. A SPEECH-LANGUAGE PATHOLOGY ASSISTANT SHALL NOT:
- 16 1. CONDUCT SWALLOWING SCREENING, ASSESSMENT AND INTERVENTION
- 17 PROTOCOLS, INCLUDING MODIFIED BARIUM SWALLOW STUDIES.
- 18 2. ADMINISTER STANDARDIZED OR NONSTANDARDIZED DIAGNOSTIC TESTS, FORMAL
- 19 OR INFORMAL EVALUATIONS OR INTERPRET TEST RESULTS.
- 20 3. PARTICIPATE IN PARENT CONFERENCES, CASE CONFERENCES OR ANY
- 21 INTERDISCIPLINARY TEAM MEETING WITHOUT THE PRESENCE OF THE SUPERVISING
- 22 SPEECH-LANGUAGE PATHOLOGIST, EXCEPT FOR INDIVIDUALIZED EDUCATION PROGRAM OR
- 23 INDIVIDUAL SUPPORT PLAN MEETINGS IF THE LICENSED SPEECH PATHOLOGIST HAS BEEN
- 24 EXCUSED BY THE INDIVIDUALIZED EDUCATION PROGRAM TEAM OR THE INDIVIDUAL
- 25 SUPPORT PLAN TEAM.
- 26 4. WRITE, DEVELOP OR MODIFY A PATIENT'S, CLIENT'S OR STUDENT'S
- 27 TREATMENT PLAN, INDIVIDUAL SUPPORT PLAN OR INDIVIDUALIZED EDUCATION PROGRAM
- 28 IN ANY WAY.
- 29 5. PROVIDE INTERVENTION FOR PATIENTS, CLIENTS OR STUDENTS WITHOUT
- 30 FOLLOWING THE TREATMENT PLAN, INDIVIDUAL SUPPORT PLAN OR INDIVIDUALIZED
- 31 EDUCATION PROGRAM PREPARED BY THE SUPERVISING SPEECH-LANGUAGE PATHOLOGIST.
- 32 6. SIGN ANY FORMAL DOCUMENTS, INCLUDING TREATMENT PLANS, INDIVIDUAL
- 33 SUPPORT PLANS, INDIVIDUALIZED EDUCATION PROGRAMS, REIMBURSEMENT FORMS OR
- 34 REPORTS.
- 35 7. SELECT PATIENTS, CLIENTS OR STUDENTS FOR SERVICES.
- 36 8. DISCHARGE PATIENTS, CLIENTS OR STUDENTS FROM SERVICES.
- 37 9. UNLESS REQUIRED BY LAW, DISCLOSE CLINICAL OR CONFIDENTIAL
- 38 INFORMATION ORALLY OR IN WRITING TO ANYONE NOT DESIGNATED BY THE
- 39 SPEECH-LANGUAGE PATHOLOGIST.
- 40 10. MAKE A REFERRAL FOR ANY ADDITIONAL SERVICE.
- 41 11. COMMUNICATE WITH THE PATIENT, CLIENT OR STUDENT OR WITH FAMILY OR
- 42 OTHERS REGARDING ANY ASPECT OF THE PATIENT, CLIENT OR STUDENT STATUS WITHOUT
- 43 THE SPECIFIC CONSENT OF THE SUPERVISING SPEECH-LANGUAGE PATHOLOGIST.
- 44 12. CLAIM TO BE A SPEECH-LANGUAGE PATHOLOGIST.
- 45 13. WRITE A FORMAL SCREENING, DIAGNOSTIC, PROGRESS OR DISCHARGE NOTE.

1 14. PERFORM ANY TASK WITHOUT THE EXPRESS KNOWLEDGE AND APPROVAL OF THE
2 SUPERVISING SPEECH-LANGUAGE PATHOLOGIST.

3 E. ALL SERVICES PROVIDED BY A SPEECH-LANGUAGE PATHOLOGY ASSISTANT
4 SHALL BE PERFORMED UNDER THE DIRECTION AND SUPERVISION OF A SPEECH-LANGUAGE
5 PATHOLOGIST LICENSED PURSUANT TO THIS CHAPTER.

6 F. A LICENSED SPEECH-LANGUAGE PATHOLOGIST WHO SUPERVISES OR DIRECTS
7 THE SERVICES PROVIDED BY A SPEECH-LANGUAGE PATHOLOGY ASSISTANT SHALL:

8 1. HAVE AT LEAST TWO YEARS OF FULL-TIME PROFESSIONAL EXPERIENCE AS A
9 LICENSED SPEECH-LANGUAGE PATHOLOGIST.

10 2. PROVIDE DIRECTION AND SUPERVISION TO NOT MORE THAN TWO FULL-TIME OR
11 THREE PART-TIME SPEECH-LANGUAGE PATHOLOGY ASSISTANTS AT ONE TIME.

12 3. ENSURE THAT THE AMOUNT AND TYPE OF SUPERVISION AND DIRECTION
13 PROVIDED TO A SPEECH-LANGUAGE PATHOLOGY ASSISTANT IS CONSISTENT WITH THE
14 INDIVIDUAL'S SKILLS AND EXPERIENCE, THE NEEDS OF THE PATIENT, CLIENT OR
15 STUDENT SERVED, THE SETTING IN WHICH SERVICES ARE PROVIDED AND THE TASKS
16 ASSIGNED AND PROVIDE:

17 (a) A MINIMUM OF TWENTY PER CENT DIRECT SUPERVISION AND TEN PER CENT
18 INDIRECT SUPERVISION OF ALL OF THE TIME THAT A SPEECH-LANGUAGE PATHOLOGY
19 ASSISTANT IS PROVIDING SERVICES DURING THE FIRST NINETY DAYS OF THE PERSON'S
20 EMPLOYMENT.

21 (b) SUBSEQUENT TO THE FIRST NINETY DAYS OF A SPEECH-LANGUAGE PATHOLOGY
22 ASSISTANT'S EMPLOYMENT, A MINIMUM OF TEN PER CENT DIRECT SUPERVISION AND TEN
23 PER CENT INDIRECT SUPERVISION OF ALL OF THE TIME A SPEECH-LANGUAGE
24 PATHOLOGIST ASSISTANT IS PROVIDING SERVICE.

25 4. INFORM A PATIENT, CLIENT OR STUDENT WHEN THE SERVICES OF A
26 SPEECH-LANGUAGE PATHOLOGY ASSISTANT ARE BEING PROVIDED.

27 5. DOCUMENT ALL PERIODS OF DIRECT AND INDIRECT SUPERVISION PROVIDED TO
28 A SPEECH-LANGUAGE PATHOLOGY ASSISTANT.

29 G. IF MORE THAN ONE SPEECH-LANGUAGE PATHOLOGIST PROVIDES SUPERVISION
30 TO A SPEECH-LANGUAGE PATHOLOGY ASSISTANT, ONE OF THE SPEECH-LANGUAGE
31 PATHOLOGISTS SHALL BE DESIGNATED AS THE PRIMARY SUPERVISOR WHO IS RESPONSIBLE
32 FOR COORDINATING ANY SUPERVISION PROVIDED BY OTHER SPEECH-LANGUAGE
33 PATHOLOGISTS.

~~APPROVED BY THE GOVERNOR JUNE 28, 2006.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 28, 2006.~~